IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3390 OF 2004
IN
APPEAL NO.737 OF 2004
IN
ARBITRATION PETITION NO.366 OF 2004

Billjunction Payments Limited .. Appellant.
V/s.
Rajdhani Textiles Pvt. Limited .. Respondent.

Mr.Virag Tulzapurkar with Mr.Chetan Kapadia i/b. M.K. Ambalal & Co. for the appellant.

Mr.Chirag Balsara i/b. R.M.G. Law for the respondent.

CORAM : R.M. LODHA, &
J.P. DEVADHAR, JJ.

DATED : 2ND DECEMBER, 2004.

P.C. :

Heard.

2. The following interim order shall remain operative until disposal of the appeal.

i) The appellant shall surrender the subject premises on or before December 15, 2004.

ii) The respondent is directed to deposit a sum of Rs.25,00,000/- before this court on or before December 15, 2004.

iii) Liberty to the appellant to apply to the Arbitral Tribunal for appropriate order regarding withdrawal of the amount deposited by the respondent before this court.

iv) If no such order is passed by the Arbitral Tribunal for withdrawal of the amount within three months from the date of constitution of the Arbitral Tribunal, the Prothonotary & Sr. Master of this court shall invest the said amount in any nationalised bank initially for a period of one year renewable thereafter for the same period each time until the disposal of the appeal.

3. The notice of motion stands disposed of.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)